

Amanda M. Walkup, OSB 934508
awalkup@hershnerhunter.com
Melissa A. Bates, OSB 092785
tjohnston@hershnerhunter.com
Hershner Hunter, LLP
180 E. 11th Avenue
P.O. Box 1475
Eugene, OR 97440
Telephone: (541) 686-8511
Facsimile: (541) 344-2025

**Of Attorneys for Federal Deposit Insurance Corporation
as Receiver for BankFirst, Inc.**

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION**

**Federal Deposit Insurance Corporation
as Receiver for BANKFIRST, INC., a
South Dakota Corporation,**

Plaintiff,

v.

MICHAEL J. DEFREES, individually;
**COLUMBIA RIM CONSTRUCTION,
INC.**, a Washington Corporation; and
COLUMBIA RIM CORPORATION, a
Washington Corporation,

Defendants.

SALPARE BAY, LLC, an Oregon limited
liability company; **HARBOR INVESTORS,
LLC**, an Oregon limited liability company,
MICHAEL J. DEFREES, an individual;
**COLUMBIA RIM CONSTRUCTION,
INC.**, a Washington corporation; and
COLUMBIA RIM CORPORATION, a
Washington corporation,

Case No. 10-373-PK

**STIPULATED
JUDGMENT OF DISMISSAL**

Third-Party Plaintiffs,

v.

1ST AMERICAN STATE BANK OF MINNESOTA, a Minnesota corporation; **ALASKA PACIFIC BANCSHARES, INC.**, an Alaska corporation; **AMERICAN TRUST & SAVINGS BANK WHITING INDIANA**, an Indiana corporation; **ANDES STATE BANK**, a South Dakota corporation; **BADGER STATE BANK**, a Wisconsin corporation; **BANNER BANCORP., LTD.**, a Wisconsin corporation; **BAY BANK**, a division of **THE COWLITZ BANK**, an Oregon corporation; **CANYON BANCORP.**, a California corporation; **CAPITAL PACIFIC BANCORP.**, an Oregon corporation; **CENTRAL BANK ILLINOIS**, a division of **CENTRAL BANC, INC.**, an Illinois corporation; **CHARTER BANK EAU CLAIRE BUILDING CORP.**, a Wisconsin corporation; **CITIZENS BANK**, a foreign corporation; **CITIZENS BANCORP., INC.**, a Wisconsin corporation; **COMMUNITY FIRST BANK**, a foreign corporation; **CORNERSTONE COMMUNITY BANK**, a Tennessee corporation; **COWBOY STATE BANK**, a Wyoming corporation; **DENALI STATE BANK**, a foreign corporation; **EXCHANGE STATE BANK**, a foreign corporation; **FARMERS STATE BANK**, a foreign corporation; **FIRST COMMONWEALTH BANK**, a foreign corporation; **FIRST INTEGRITY BANK**, a Minnesota corporation; **FIRST STATE BANK**, an Arizona corporation; **FIRST STATE BANK**, a Wisconsin corporation; **IDAHO FIRST BANK**, an Idaho corporation; **IMPERIAL CAPITAL BANK**, a California corporation; **INSOUTH BANK**, a Tennessee corporation; **LOWERYBANK**, a division of **HUNTINGTON STATE BANK**, a foreign corporation; **METABANK WEST CENTRAL**, an inactive Iowa corporation; **PEOPLES BANK SB**, an Indiana corporation; **PERU FEDERAL SAVINGS BANK**, a foreign corporation; **PREFERRED BANK**, a California corporation; **RCSBANK**,

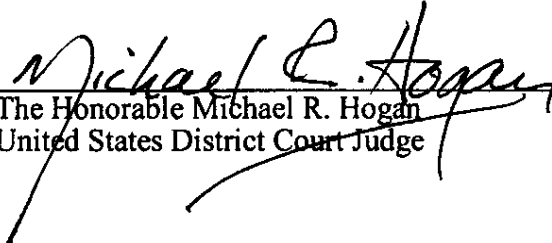
a Missouri corporation; **STATE CENTRAL BANK**, an Iowa corporation; **THE CONTINENTAL NATIONAL BANK OF HARLOWTON**, a foreign corporation; **THE FARMERS AND MERCHANTS NATIONAL BANK OF NASHVILLE**, a foreign corporation; **THE FIRST NATIONAL BANK IN WADENA**, a foreign corporation; **THE FIRST NATIONAL BANK OF ELDORADO**, a foreign corporation; **THE PEOPLES STATE BANK**, an Indiana corporation; **THE UNION BANK**, a foreign corporation; **VALLEY BANK OF GLASGOW**, a Montana corporation,

Third-Party Defendants.

The parties having settled this action pursuant to a separate settlement agreement, and based upon the stipulation of the parties, it is hereby:

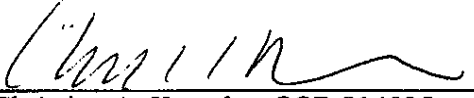
ORDERED and ADJUDGED that all claims asserted in this action are dismissed, with prejudice, and without an award of costs, disbursements, or attorney fees to any party.

DATED: 7 JUNE, 2010.



The Honorable Michael R. Hogan
United States District Court Judge

The parties have settled the disputes between them and stipulate to and move for entry of this Judgment.

STOEL RIVES LLP

By 
Christine A. Kosydar, OSB 814035
Of Attorneys for Salpare Bay, LLC,
Michael J. Defrees, Columbia Rim
Construction, Inc., Columbia Rim
Corporation, and Harbor Investors, LLC

HERSHNER HUNTER, LLP

By 
Amanda M. Walkup, OSB 934508
Of Attorneys for Federal Deposit
Insurance Corporation
as Receiver for BankFirst, Inc.